

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA  
NOTICE OF PUBLIC HEARING**

**TIME AND PLACE:**                      **Thursday, September 20, 2012, @ 6:30 P.M.**  
   **Office of Zoning Hearing Room**  
   **441 4<sup>th</sup> Street, N.W., Suite 220-South**  
   **Washington, D.C. 20001**

**FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:**

**CASE NO. 04-14B: Application of Florida Rock Properties Inc., together with MRP Realty, to Modify an Approved Planned Unit Development (Square 708, Lot 14)**

**THIS CASE IS OF INTEREST TO ANC 6D**

On December 1, 2012, the Office of Zoning received an application from Florida Rock Properties Inc., requesting to modify an approved second-stage planned unit development (“PUD”) for property located in Ward 6 in Square 708, Lot 14 (“Property”). The Property is bounded by South Capitol Street to the west, Potomac Avenue, S.E. to the north, the Anacostia River to the south and Diamond Teague Park to the east. The Zoning Commission evaluated the application at the Zoning Commission Public Meeting on January 30, 2012, and opted to postpone setdown action until the Chairman could participate in the discussion. Accordingly, the Commission placed the application on the agenda for the Zoning Commission Public Meeting on February 13, 2012. The Commission voted to set the application down for a public hearing 0. The Applicant filed a pre-hearing statement on April 30, 2012, with revised information in response to Commission comments.

Z.C. Order No. 04-14 became effective on June 27, 2008. It granted a second-stage approval for a mixed-use development located in the 100 block of Potomac Avenue, S.E. The order also approved a PUD-related Map Amendment to the C-3-C Zone District. The approved project consisted of four phases of development including residential, office, hotel, and retail components, for a total development of approximately 1.1 square feet of gross floor area. Florida Rock subsequently submitted an application to extend the PUD approval. The Zoning Commission granted the request in Z.C. Case No. 04-14A, and extended the PUD approval through June 27, 2012.

Florida Rock is proposing to modify the application to convert the first phase of development from an office building to a residential building. Phase One will include approximately 300-350 residential units, 286 parking spaces and approximately 300,000 square feet of gross floor area. The building will be nine stories tall and approximately 95 feet in height. The application also

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seeks relief from the penthouse requirements of Section 411, and the setback requirements along Potomac Avenue in Section 1608.2.<sup>1</sup>

Florida Rock is also proposing to convert the second-stage approvals for the remaining three phases of development to first-stage approvals. The designs of the three buildings will be refined in a future application. For the entirety of the four phases, the current proposal seeks approval of a maximum height of 130 feet, a total gross floor area of approximately 1,165,000 square feet, and a lot occupancy of 44.4%.

The public hearing for this case will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022. Pursuant to 11 DCMR 2409.9, the proposed modification must meet the requirements for and be processed as a second-stage application as is relevant.

**How to participate as a witness.**

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

**How to participate as a party.**

Any person who desires to participate as a party in this case must so request and must comply with the provisions of 11 DCMR § 3022.3.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations.

Except for the affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person's interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than fourteen (14) days prior to the date set for the hearing, a Form 140 f Party Status Application, a copy of which is attached hereto.** This form may also be obtained from the Office of Zoning at the address stated below or downloaded from the Office of Zoning's website at [www.dcoz.dc.gov](http://www.dcoz.dc.gov).

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<sup>1</sup> The Applicant initially indicated that it needed relief to permit more than one building on a single record lot; however, that form of development is permitted as a matter of right within the C-3-C zone district. See 11 DCMR 2517.1.

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To the extent that the information is not contained in the Applicant's pre-hearing submission as required by 11 DCMR § 3013.1, the Applicant shall also provide this information not less than 20 days prior to the date set for the hearing.

**If an affected Advisory Neighborhood Commission (ANC) intends to participate at the hearing, the ANC shall submit the written report described in § 3012.5 no later than seven (7) days before the date of the hearing. The report shall also contain the information indicated in § 3012.5 (a) through (i).**

**Time limits.**

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- |    |                                  |                         |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition            | 60 minutes collectively |
| 3. | Organizations                    | 5 minutes each          |
| 4. | Individuals                      | 3 minutes each          |

Pursuant to § 3020.3, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Information responsive to this notice should be forwarded to the Director, Office of Zoning, Suite 200/210-S, 441 4<sup>th</sup> Street, N.W., Washington, D.C. 20001. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

**ANTHONY J. HOOD, MARCIE I. COHEN, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.**